

REMARKS

Claims 1-19 are pending in the application and are subject to a Restriction and Election Requirement in this Office Action as a result of the finality of the Office Action dated October 21, 2002 being withdrawn in view of Applicants' Appeal Brief filed on April 28, 2003. The present Restriction Requirement substantially duplicates the Restriction Requirement in the Office Action of July 3, 2001 apart from different classifications being relied upon in the present Restriction Requirement.

RESTRICTION UNDER 35 U.S.C. §121

The Examiner has required Applicants to elect between:

Group I claims 1-7, drawn to a method for EMI shielding a portable electronic device, classified in Class 29, subclass 846+;

Group II claims 8-17, drawn to EMI shielding apparatus, classified in Class 174, subclass 35MS.

Group III claims 18-19, drawn to EMI shielding apparatus, classified in Class 361, subclass 816.

The Examiner indicates the inventions are distinct in that inventions in Groups II and III and I are related as process of making and product made. The Examiner asserts in the instant case that the process of insert molding an electrically conductive fiber mesh net into wall surfaces can be replaced by sputtering or screen printing the fiber mesh net onto the wall surface. Applicants disagree with the Examiner's assertion and conclusion particularly in view of

Applicants' Appeal Brief which explained in detail why the product cannot be made by sputtering or screen printing processes such as used to provide products in the prior art and for which problems and drawbacks of the prior art devices are overcome by the present invention. The Examiner did not provide a reply to Applicants' Appeal Brief arguments nor has the Examiner shown how such a product having an insert molded electrically conductive woven fiber mesh can be made with such processes and therefore Applicants submit the Examiner is in error in imposing the restriction requirement.

In the interest of advancing the prosecution of this application, Applicants have above, canceled Claims 1-19 and present recast Claims 20-46 for examination. In view of recast Claims 20-46 as presented above, Applicants submit the Election and Restriction Requirement of this Office Action are now moot and withdrawal of the Restriction/Election Requirement is earnestly requested.

Support for the amendments are found in the application and drawings particularly, page 8, lines 11-35, page 9, lines 1-18 and page 12, lines 4-31 and elsewhere in the application. No new matter or issues for consideration are presented by the amendments.

CONCLUSION

In view of the foregoing, it is believed that all of the claims of this application are now in condition for allowance, and such action at an early date is earnestly solicited. In the event the Examiner fails to find this application to be in condition for allowance, it is requested that he contact Applicant's attorney so that an interview can be arranged to discuss the matter further.

Respectfully submitted,



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